

STANDARD APPLICATION
Harford County
Board of Appeals
Bel Air, Maryland 21014

SEP 13 2004

Case No. 5449
Date Filed 8-31-04
Hearing Date _____
Receipt _____
Fee \$450

Shaded Areas for Office Use Only

Type of Application

- ☐ Administrative Decision/Interpretation
☐ Special Exception
☐ Use Variance
☐ Change/Extension of Non-Conforming Use
☐ Minor Area Variance
☐ Area Variance
☐ Variance from Requirements of the Code
☐ Zoning Map/Drafting Correction

CASE 5449 MAP 61 TYPE Variance

ELECTION DISTRICT 1 LOCATION 3704 Denton Court, Abingdon, Md. 21009

BY Scott and Maria Crouse

Appealed because a variance pursuant to Section 267-36B, Table VI of the Harford County Code to allow an attached garage within the required 10 foot side yard setback (6 foot proposed) in a R3 District requires approval by the Board.

NOTE: A pre-conference is required for property within the NRD/Critical Area or requests for an Integrated Community Shopping Center, a Planned Residential Development, mobile home park and Special Exceptions.

Owner (please print or type)

Name Scott L. Crouse Phone Number 410-569-9658
Address 3704 Denton Court Abingdon MD 21009-2055
Street Number Street City State Zip Code

Co-Applicant Maria T. Crouse Phone Number 410-569-9658
Address 3704 Denton Court Abingdon MD 21009-2055
Street Number Street City State Zip Code

Contract Purchaser _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Attorney/Representative _____ Phone Number _____
Address _____
Street Number Street City State Zip Code

Land Description

Address and Location of Property 3704 Denton Court Abingdon, MD 21009-2055

Lot Number 171

Zoning R3

Tax Map No. 20 Grid No. 2D Parcel 299 Water/Sewer: Private _____ Public X

List ALL structures on property and current use: house - dwelling

Estimated time required to present case: 15-30 minutes

If this Appeal is in reference to a Building Permit, state number _____

Would approval of this petition violate the covenants and restrictions for your property? NO

Is this property located within the County's Chesapeake Bay Critical Area? Yes _____ No X

If so, what is the Critical Area Land Use designations: _____

Is this request the result of a zoning enforcement investigation? Yes _____ No X

Is this request within one (1) mile of any incorporated town limits? Yes _____ No X

Request

Reduction of side yard to allow for a single car garage.
approximately 2 foot variance needed (possibly 3 ft.)

Justification

- ① Only one of 10 homes on the court without a garage.
- ② Home situated on plot by builder in such a way that a variance is required to have a garage.
- ③ Most homes on court have 2-car garages, we are only requesting 1-car size.
- ④ Detached garages and sheds not allowed in our covenant.

If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

JAMES M. HARKINS
HARFORD COUNTY EXECUTIVE

JOHN J. O'NEILL, JR.
DIRECTOR OF ADMINISTRATION



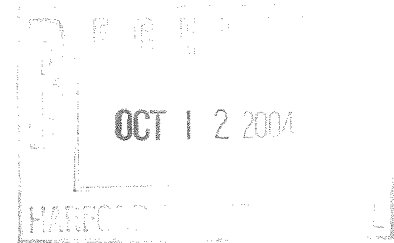
J. STEVEN KALL-ZIEGLER
DIRECTOR OF PLANNING & ZONING

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

October 11, 2004

STAFF REPORT



BOARD OF APPEALS CASE NO. 5449

APPLICANT/OWNER: Scott L. Crouse
3704 Denton Court, Abingdon, Maryland 21009

Co-APPLICANT: Maria T. Crouse
3704 Denton Court, Abingdon, Maryland 21009

REPRESENTATIVE: Applicants

LOCATION: 3704 Denton Court – Oaks of Harford
Tax Map: 61 / Grid: 2D / Parcel: 299 / Lot: 171
Election District: First (1)

ACREAGE: 0.208 of an acre

ZONING: R3/Urban Residential District.

DATE FILED: August 31, 2004

HEARING DATE: November 3, 2004

APPLICANTS' REQUEST and JUSTIFICATION:

Request:

“Reduction of the side yard to allow for a single car garage. Approximately 2 foot variance needed (possibly 3 ft.).”

Preserving our values, protecting our future

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Board of Appeals Case Number 5449

Scott & Maria Crouse

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Justification:

1. "Only one of 10 homes on the court without a garage."
2. "Home situated on plot by builder in such a way that a variance is required to have a garage."
3. "Most homes on court have 2-car garages, we are only requesting 1-car size."
4. "Detached garages and sheds not allowed in our covenant."

CODE REQUIREMENTS:

The Applicants are seeking a variance pursuant to Section 267-36B, Table VI of the Harford County Code to allow an attached garage within the required 10 foot side yard setback (6 foot proposed) in an R3/Urban Residential District.

Enclosed with the report is a copy of Section 267-36B, Table VI of the Harford County Code (Attachment 1).

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The subject property is located south of Singer Road and west of Tollgate Road, in the development of Oaks of Harford (part of the Constant Friendship community). The lot is situated on the west side of Denton Court near the end of the cul-de-sac. A location map and a copy of the Applicants' site plan are enclosed with the report (Attachments 2 and 3).

This area of the County is located within the Development Envelope. Land use designations include Low, Medium and High Intensities. The Natural Features Map shows areas of Maryland Environmental Trust Easements, sensitive species project review areas and stream systems. The Applicants' property is located in the Medium Intensity designation, which is defined by the 2004 Master Plan as:

Medium Intensity - Areas within the Development Envelope where residential development is the primary land use. Density ranges from 3.5 to 7.0 dwelling units per acre. Grocery stores, variety stores and other commercial uses are examples of some of the more intensive uses associated with this designation.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 4 and 5).

Land Use – Existing:

The existing land uses in this area of the County are consistent with the 2004 Master Plan. Residential development includes single-family residences, townhouses, condominiums and

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garden apartments. Commercial uses include single retail establishments, shopping centers and professional and personal services. Enclosed with the report is a copy of the aerial photograph (Attachment 6).

The Applicants' property is located on the west side of Denton Court near the end of the cul-de-sac. The property is approximately 0.208 of an acre in size. The lot is uniquely shaped due to its location on the cul-de-sac. Also, the side lot lines are not perpendicular to the road. The topography of the lot is level to gently sloping. Improvements consist of a frame two-story dwelling, concrete driveway and a fence around the rear yard. The lot contains mature trees and shrubbery. Enclosed with the report is a topographic map, an enlargement of the aerial photograph and site photographs (Attachments 7, 8 and 9).

Zoning:

The zoning classifications in the area are consistent with the intent of the 2004 Master Plan as well as the existing land uses. Residential zoning ranges from R1 to R4/Urban Residential Districts. Commercial Zoning includes B1/Neighborhood, B2/Community, B3/General Business and CI/Commercial Industrial Districts. The subject property is zoned R3/Urban Residential District. Enclosed with the report is a copy of the Zoning Map (Attachment 10).

SUMMARY:

The Applicants are seeking a variance pursuant to Section 267-36B, Table VI of the Harford County Code to allow an attached garage within the required 10 foot side yard setback (6 foot proposed) in an R3/Urban Residential District.

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the Applicants must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Department finds that the subject property is unique due to its configuration and the location of the existing dwelling. All of the other houses on the court have either one or two-car garages. The garage will extend out to the edge of the existing driveway. The side of the proposed garage will abut the side of the garage on the adjoining lot. The proposed garage should not have an adverse impact on the adjoining lot.

RECOMMENDATION and/or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the request be approved subject to the following conditions:

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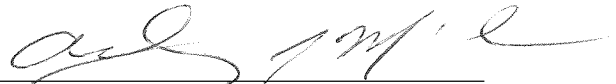
Scott & Maria Crouse

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1. The Applicants shall obtain all necessary permits and inspections for the garage.
2. The garage shall not be converted to living area in the future.
3. The garage shall not be used in the furtherance of a business.
4. The garage shall not be used for the storage of contractor's equipment or commercial vehicles.



Dennis J. Sigler, Coordinator
Zoning & Board of Appeals Review



Anthony S. McClune, AICP
Deputy Director, Planning and Zoning

DJS/ASM/ka